

UNITED STATES DISTRICT COURT  
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WORCESTER MASS.01608

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MR.EDWARD TAVARES JR.  
N.C.C.I.GARDNER  
P.O.BOX 466  
500 COLONY RD.  
GARDNER MASS.01440

U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE:EDWARD TAVARES JR PETITIONER V.STEVEN O'BRIEN,RESPONDENT  
U.S.NUMBER 4;04-CV-40059-TSH

Dear Ms, Roland;

I have received a notice that the above entitled matter has been referred to Magistrate Judge Charles B.Swartwood III, are now referred to Magistrate Timothy S.Hillman upon his appointment to the bench of the United States District Court. I received this notice on February 16/2006,but the date on the notice is February 15/2005,see attached.

The reasons for this letter is,this is the third time I have been referred to a different Judge,the first Judge was Nathaniel M.Gorton;Second Judge was Charles S.Swartwood who on March 11/2005 Order that petitioner has fully exhausted all claims in the state highest court,and denied the respondent motion for order to petitioner to amend petition to only include exhausted claims (Docket No.12),was denied. Judge Swartwood also order respondent to file an answer no later that April 15/2005.All papers were submitted in June of 2005.In December 2/2005,Docket 24 petitioner motion for scheduled hearing on the petition 28 U.S.C.A.2254 was denied,stating that the court will decide case on written submission of the parties."cc/cRoland Lisa).

As of today's date the petitioner has not receive a decision on his 28 U.S.C.A.2254- from the newly appointed Judge named Tomothy S.Hillman.The petitioner though because of a Writ of Habeas Corpus unlawful restraint 28 U.S.C.A.2254,that this court suppose to treat it expeditious.The petitioner would like to know,because he is pro-se,that he is not entitled to an expeditious hearing or decision to the process.2)becuase he a state prisoner and is not entitled to an expeditious hearing or decision,or 3)is it because the petitioner claims are genuine,but because the petitioner is pro-se and a state prisoner,there will be a long delay. The petitioner prays this court for a status report in this matter,in the interest if justice, and fairness.

I appreciate any and all help in this matter and further

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**NOTICE**

**Please take notice that the civil action cases on the attached list, previously referred to Magistrate Judge Charles B. Swartwood III are now referred to Magistrate Judge Timothy S. Hillman upon his appointment to the bench of this Court.**

**All inquiries regarding matters before Magistrate Judge Hillman should be directed to Lisa Roland at 508-929-9905.**

**SARAH ALLISON THORNTON  
Clerk of Court**

**By: /s/Deborah F. Shattuck  
Division Manager**

**Date: February 15, 2005**

**Copies to: Counsel**